

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

JOHNNY M. HUNT,

Plaintiff,

v.

SOUTHERN BAPTIST CONVENTION;  
GUIDEPOST SOLUTIONS LLC; and  
EXECUTIVE COMMITTEE OF THE  
SOUTHERN BAPTIST CONVENTION,

Defendants.

Case No. 3:23-cv-00243

Judge Campbell  
Magistrate Judge Frensley

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**GUIDEPOST SOLUTIONS LLC’S REPLY IN SUPPORT OF MOTION FOR ENTRY  
OF SECOND AMENDED AGREED PROTECTIVE ORDER**

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Pending before the Court is Defendant Guidepost Solutions LLC’s Motion for Entry of Second Amended Protective Order. (Docs. 122-23). The proposed Second Amended Protective Order seeks only to expand the provisions of the existing Amended Protective Order (Doc. 83) to third parties. (Docs. 122.1-2.) At present and without the entry of the Second Amended Protective Order, production of documents from third party subpoena recipients is at a standstill. The third-party subpoena recipients are unwilling to produce documents unless and until they are encompassed within the protections provided by the proposed Second Amended Protective Order. (Doc. 122.)<sup>1</sup>

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<sup>1</sup> Third party subpoena recipients North American Mission Board of the Southern Baptist Convention (“NAMB”), First Baptist Church of Woodstock (“FBCW”), and New Song Ministries, Inc. (“New Song”), along with Defendants the Southern Baptist Convention (“SBC”) and the Executive Committee of the SBC, have all approved the language of the Second Amended Protective Order as submitted to the Court. (Docs. 123 at 1-2, 122.2.) Third party

Plaintiff Johnny Hunt, who has intentionally and unnecessarily delayed the facilitation of third-party discovery, originally opposed entry of the Second Amended Protective Order for no substantive reason, but simply because he does not agree with Guidepost's confidentiality and highly confidential – attorneys' eyes only designations.<sup>2</sup> (Doc. 122.3) Now, with the filing of his Response on February 26, 2024, Plaintiff has changed course and has withdrawn his objection to the proposed Second Amended Protective Order: "The amendments proposed by Guidepost are not necessary for any third-party production to occur in the case. If Guidepost is more comfortable explicitly adding third parties to the Amended Agreed Protective Order, ***Plaintiff does not object.***" (Doc. 142 at 2) (emphasis supplied.) As Guidepost's Motion for Entry is now unopposed, Guidepost respectfully asks that the Court enter the Second Amended Protective Order as soon as possible so that third-party discovery may proceed.

Despite his belated concession to the entry of the Second Amended Protective Order, Plaintiff still seeks to delay matters by proposing, for the first time in his Response, new language to the Second Amended Protective Order for purposes of including what Plaintiff believes to be good faith requirements for designations and monetary penalties to the prevailing party in a designation dispute. (Doc. 142. at 2.) Indeed, Plaintiff did not ask to include additional language in his February 5, 2024 email objecting to the Second Amended Protective Order, nor did he propose such language in connection in his Second Motion to Compel, which specifically addresses the confidential and highly confidential designation issues. (Doc. 122.3; *see also* Docs. 106, 109.) Plaintiff simply objected outright to the entry of the Second Amended Protective Order.

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subpoena recipient Roy Blankenship, through counsel, has agreed to be bound by the terms of the Amended Agreed Protective Order. (Doc. 83; *see* Doc. 123 at 2, n.2.)

<sup>2</sup> Plaintiff's disagreement with Guidepost's designations made pursuant to the Amended Protective Order and the Court's November 22, 2023 Order is the subject of Plaintiff's Second Motion to Compel. (Docs. 106, 109.)

Plaintiff's proposed changes to the confidentiality and highly confidential designation language are contrary to the Court's November 22, 2023 Order, which specifically allows for highly confidential – attorneys' eyes only designations for matters including personal information relating to the survivor who was allegedly abused sexually by Plaintiff. (Doc. 76 at 6.) Further, these changes are not properly before this Court, having been presented by Plaintiff for the first time in his Response, and continuing a pattern of delay in preventing Guidepost and the other Defendants the opportunity to conduct discovery, in this instance, third party discovery.

In light of the withdrawal of Plaintiff's objection, Guidepost respectfully seeks the immediate entry of the Second Amended Protective Order so that third party discovery may proceed. Guidepost further asks that the Court reject Plaintiff's efforts to amend the confidentiality and highly confidential, attorneys' eyes only designations through its Response and in contravention of the requirements set forth in the Court's November 22, 2023 Order.

Respectfully submitted,

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## **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been served through the Court's electronic filing system on the following:

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on this 1st day of March, 2024.

s/John R. Jacobson